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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. 5:18-cr-00423-PCP
)	
Plaintiff,)	STIPULATION REGARDING THE PETITION
)	FOR WARRANT FOR PERSON UNDER
v.)	SUPERVISION FILED MAY 14, 2020
)	
RAMON HERNANDEZ-FARIAS,)	
)	
Defendant.)	

The parties hereby respectfully submit the following waivers and stipulations.

WAIVER OF RIGHTS

1. The Defendant, RAMON HERNANDEZ-FARIAS ("Defendant"), has been fully informed of the alleged violation of the terms of his supervised release set forth in the Petition for Warrant for Person Under Supervision, filed on May 14, 2020 (Dkt. No. 35), as well as the maximum penalties for that alleged violation.

2. Defendant has been fully informed of his rights under Federal Rule of Criminal Procedure 32.1, including his right to a revocation hearing, and hereby waives his rights to a revocation hearing.

3. Defendant submits the matter for decision by the Court based on the factual stipulations set forth below.

4. If the Court finds, in light of the factual stipulations below, that the government has proven by a preponderance of the evidence the violation alleged in the Petition for Warrant for Person Under Supervision, filed on May 14, 2020 (Dkt. No. 35), the parties jointly respectfully request that the Court enter an order finding the defendant in violation, and proceed to sentencing during the hearing currently scheduled on November 20, 2024.

FACTUAL STIPULATIONS

5. Defendant was convicted of a violation of 18 U.S.C. § 1326 on March 27, 2019, and was sentenced by the Honorable Lucy H. Koh to one month in custody followed by three years of supervised release on August 14, 2019. At the sentencing hearing held on August 14, 2019, Defendant was instructed to comply with conditions of supervised release, including the condition that he report to United States Probation within 72 hours of his release from custody. *See* Dkt. 34 at page 33.

6. Defendant was never instructed to not report to United States Probation upon his release from custody.

7. Defendant was released from custody on or about October 30, 2019.

8. Defendant did not voluntarily report to United States Probation at any time between his release from custody on or about October 30, 2019 and his arrest on or about April 18, 2024.

9. These facts are sufficient to prove, by a preponderance of the evidence, the violation alleged in the Petition for Warrant for Person Under Supervision, filed on May 14, 2020 (Dkt. No. 35).

IT IS SO STIPULATED.

Dated: 11/20/24



RAMON HERNANDEZ-FARIAS
Defendant

ISMAIL J. RAMSEY
United States Attorney

Dated: 11/21/24

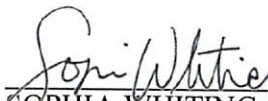

MICHAEL G. PITMAN
Assistant United States Attorney

1
2 Dated: 11/20/2024


SOPHIA WHITING
Attorney for Defendant

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6 I have fully explained to my client, RAMON HERNANDEZ-FARIAS, the above waivers and
7 stipulations with the assistance of a Spanish language interpreter. In my opinion, RAMON
8 HERNANDEZ-FARIAS understands each waiver and stipulation, and the consequences of stipulating
9 and agreeing to them. Based on the information known to me, RAMON HERNANDEZ-FARIAS's
10 decision to enter into each of the factual stipulations above and to waive his right to a revocation hearing
11 is knowing and voluntary.

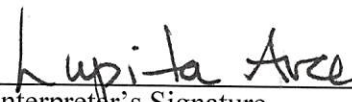
12
13 Dated: 11/20/2024


SOPHIA WHITING
Attorney for Defendant

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17 INTERPRETER CERTIFICATION

18 I, Lupita Arce, hereby certify that I am a certified Spanish language
19 interpreter and that I accurately translated this document to RAMON HERNANDEZ-FARIAS.

20
21 Dated: Nov 20, 2024


Interpreter's Signature